

Commonwealth of Massachusetts
SUFFOLK SUPERIOR COURT
Case Summary
Civil Docket

01/30/2004
10:17 AM

SUCV2003-05679

Massachusetts Development Finance Agency v ADP Marshall, Inc et al

File Date	12/02/2003	Status	Disposed: transfered to other court (dtrans)
Status Date	01/28/2004	Session	G - Civil G
Origin	1	Case Type	E09 - General contractor surety (149.029)
Lead Case		Track	A

Service	03/01/2004	Answer	04/30/2004	Rule 12/19/20	04/30/2004
Rule 15	02/24/2005	Discovery	01/20/2006	Rule 56	03/21/2006
Final PTC	07/19/2006	Disposition	12/01/2006	Jury Trial	Yes

PARTIES

Plaintiff

Massachusetts Development Finance Agency
Active 12/02/2003

Private Counsel 547714

Charles A Plunkett
1 Bowdoin Square
9th Floor
Boston, MA 02114
Phone: 617-263-1313
Active 12/02/2003 Notify

Defendant

ADP Marshall, Inc
Served: 01/02/2004
Answered: 01/26/2004
Answered 01/26/2004

Private Counsel 633639

Andrew J Tine
Haese Law Office
70 Franklin Street
9th floor
Boston, MA 02110
Phone: 617-428-0266
Fax: 617-428-0276
Active 01/28/2004 Notify

Defendant

Fluor Daniel Company
Service pending 12/02/2003

Defendant

Fireman's Fund Insurance Company
Served: 12/29/2003
Answered: 01/26/2004
Answered 01/26/2004

Private Counsel 633639

Andrew J Tine
Haese Law Office
70 Franklin Street
9th floor
Boston, MA 02110
Phone: 617-428-0266
Fax: 617-428-0276
Active 01/30/2004 Notify

Date	Paper	Text
12/02/2003	1.0	Complaint filed with request for trial by jury

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Date	Paper	Text
12/02/2003		Origin 1, Type E09, Track A.
12/02/2003	2.0	Civil action cover sheet filed
01/02/2004	3.0	SERVICE RETURNED: Fireman's Fund Insurance Company(Defendant) (First class postage on 12/29/03)
01/02/2004	4.0	SERVICE RETURNED: ADP Marshall, Inc(Defendant) (certified mail on 12/29/03)
01/13/2004	5.0	Defendant ADP Marshall, Inc's MOTION for an extension of time to file responsive pleading , assented to by Massachusetts Development Finance Agency
01/20/2004		MOTION (P#5) ALLOWED (Diane M. Kottmyer, Justice) Notices mailed January 16, 2004 (entered 1/15/04)
01/26/2004	6.0	ANSWER, COUNTERCLAIM : ADP Marshall, Inc(Defendant)
01/26/2004	7.0	ANSWER: Fireman's Fund Insurance Company(Defendant)
01/28/2004		Certified copy of petition for removal to U. S. Dist.Court of Deft. ADP Marshall, Inc U. S. Dist.#(04-CV-10203PBS).
01/28/2004		Case REMOVED this date to US District Court of Massachusetts

. HEREBY ATTEST AND CERTIFY ON

JAN. 30, 2004, THAT THE

FOREGOING DOCUMENT IS A FULL,
TRUE AND CORRECT COPY OF THE
ORIGINAL ON FILE IN MY OFFICE,
AND IN MY LEGAL CUSTODY.

MICHAEL JOSEPH DONOVAN
CLERK / MAGISTRATE
SUFFOLK SUPERIOR CIVIL COURT
DEPARTMENT OF THE TRIAL COURT


ASSISTANT CLERK

Suffolk Superior Civil # 03-5679G

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

MASSACHUSETTS DEVELOPMENT
FINANCE AGENCY,
Plaintiff,

v.

ADP MARSHALL, INC., A FLUOR
DANIEL COMPANY, AND FIREMAN'S
FUND INSURANCE COMPANY,
Defendants.

U.S. DIST #

04-CV-10203 PBS

C.A. No. 03-5679G

NOTICE FOR REMOVAL

Pursuant to 28 U.S.C §1446, Defendant ADP Marshall, Inc. ("ADP"), hereby gives notice of its removal of this case presently pending in the Superior Court for the Commonwealth of Massachusetts, Suffolk County, C.A. No. 03-5679G (the "State Court Action") to the United States District Court for the District of Massachusetts.

Removal is authorized by 28 U.S.C. §1441 based upon this Court's original jurisdiction over this matter pursuant to 28 U.S.C. §1332, since there is complete diversity of citizenship and the amount in controversy, exclusive of costs and interest, exceeds \$75,000. In support of this Notice, ADP avers the following:

1. This case was initiated on or about December 2, 2003, through the filing of a Complaint which did not allege any specific amount in controversy. See Complaint (attached hereto as "Exhibit A").